Restoration of the seniority of SC and ST employees on promotion

2217. SHRI GANDHI AZAD : Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state :

(a) whether it is a fact that the Prime Minister announced Government's resolve to bring about a Constitutional Amendment to restore the seniority of SC and ST employees on promotion as it existed before issuing DOPT OM No. 2001, 1/1/96-Estt. (D), dated 30th January, 1997 in the Convention of SC/ST MPs on 5th December, 1999;

(b) if so, the action taken thereon and progress achieved in bringing about the proposed Constitutional Amendment; and

(c) the status of the proposed Constitutional Amendment as on today?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI ARUN JAITLEY) : (a) Yes, Sir.

(b) and (c) The Constitution (Ninety-second) Amendment Bill, 2001 to amend Article 16(4a) of the Constitution to provide for consequential seniority also in the case of promotion by virtue of rule of reservation has since been passed by the Parliament and it is awaiting assent of the President.

Speedy, economical and fair justice to common man

2218. SHRI KRIPAL PARMAR : Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state :

(a) whether he is aware that eye witnesses turn hostile from their testimony before the judge in the court due to money and influence;

(b) if so, whether it is a fact, that taking undue advantage of provisions of Indian Criminal Procedure Code, Lawyers get engaged in saving the accused by unfair means instead of helping the court to get to the root of the truth ; and

(c) if so, what reforms Government are contemplating for speedy, economical and fair justice to the common people of the country?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI ARUN JAITLEY) : (a) and (b) The Law Commission of India in their 154th Report on the Code of Criminal Procedure, 1973 has recommended, *inter-alia* insertion of a new sub-section, 1(A), in section 164 to read as follows :